

COMMEMORATING TEXAS INDEPENDENCE DAY.

Mr. Sanders moved that Hon. T. H. McGregor of Travis county be requested to address the House at this time in commemoration of the day, same being March 2, Texas Independence Day; and that at the conclusion of the address the House adjourn until 9:30 o'clock a. m. tomorrow.

That in so doing it be as a memorial of the day.

The motion prevailed.

The Speaker announced the appointment of the following committee to escort Hon. T. H. McGregor to the Speaker's stand:

Messrs. Sanders, Dunlap and Graves.

The committee having performed their duty, Mr. Satterwhite presented Mr. McGregor who then addressed the House.

ADJOURNMENT.

In accordance with the motion heretofore made by Mr. Sanders, the House, at 12:20 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

TWENTY-SECOND DAY.

(Tuesday, March 3, 1931.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Caven.
Adams of Harris.	Claunch.
Adamson.	Coltrin.
Adkins.	Coombes.
Akin.	Cox of Lamar.
Albritton.	Cox of Limestone.
Alsup.	Dale.
Anderson.	Davis.
Barron.	DeWolfe.
Beck.	Dodd.
Bond.	Dowell.
Bounds.	Dunlap.
Boyd.	Duvall.
Bradley.	Dwyer.
Brice.	Elliott.
Brooks.	Engelhard.
Bryant.	Farmer.
Burns of Walker.	Farrar.
Burns	Ferguson.
of McCulloch.	Finn.

Fisher.	Magee.
Ford.	Mathis.
Fuchs.	Mehl.
Gilbert.	Metcalfe.
Giles.	Moffett.
Goodman.	Moore.
Graves.	Morse.
Greathouse.	Munson.
Grogan.	Murphy.
Hanson.	Nicholson.
Hardy.	Olsen.
Harman.	O'Quinn.
Harrison	Patterson.
of El Paso.	Petsch.
Harrison	Pope.
of Waller.	Ramsey.
Hatchitt.	Ratliff.
Hefley.	Ray.
Herzik.	Reader.
Hill.	Richardson.
Hines.	Rogers.
Holland.	Rountree.
Holloway.	Sanders.
Hoskins.	Satterwhite.
Howsley.	Savage.
Hubbard.	Scott.
Hughes.	Shelton.
Jackson.	Sherrill.
Johnson	Smith of Bastrop.
of Dallam.	Smith of Wood.
Johnson	Sparkman.
of Dimmit.	Stephens.
Johnson of Morris.	Steward.
Jones of Shelby.	Strong.
Jones of Atascosa.	Sullivant.
Justiss.	Tarwater.
Kayton.	Terrell
Keller.	of Cherokee.
Kennedy.	Towery.
Laird.	Turner.
Lasseter.	Van Zandt.
Lee.	Veatch.
Lemens.	Wagstaff.
Leonard.	Walker.
Lilley.	Warwick.
Lockhart.	Weinert.
Long.	West of Coryell.
McCombs.	Westbrook.
McDougald.	Wyatt.
McGill.	Young.
McGregor.	

Absent—Excused.

Adams of Jasper.	Holder.
Baker.	Martin.
Bedford.	Stevenson.
Carpenter.	Terrell
Cunningham.	of Val Verde.
Daniel.	Vaughan.
Donnell.	West of Cameron.
Forbes.	Wiggs.

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE
GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Stevenson for today, on motion of Mr. Burns of Walker.

Mr. Pope for today, on motion of Mr. Steward.

Mr. Wiggs for today, on motion of Mr. Turner.

Mr. Martin for today, on motion of Mr. Dwyer.

Mr. Adams of Jasper for today, on motion of Mr. Ramsey.

Mr. West of Cameron for today, on motion of Mr. Dunlap.

Mr. Holder for today, on motion of Mr. Savage.

Mr. Vaughan for today, on motion of Mr. Adams of Harris.

Mr. Carpenter for yesterday and today, on motion of Mr. Giles.

Mr. Bedford for today, on motion of Mr. Ferguson.

Mr. Hefley for yesterday, on motion of Mr. Elliott.

The following members were granted leaves of absence on account of illness:

Mr. Baker for today, on motion of Mr. Farmer.

Mr. Daniel for today, on motion of Mr. Lasseter.

Mr. Forbes for today, on motion of Mr. Ray.

Mr. Donnell for today, on motion of Mr. Fuchs.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Satterwhite:

H. B. No. 766, A bill to be entitled "An Act amending Article 2823, Revised Statutes of Texas, 1925, and declaring an emergency."

(Relating to limitation of ad valorem tax on property.)

Referred to Committee on Revenue and Taxation.

By Mr. Dunlap:

H. B. No. 767, A bill to be entitled "An Act prohibiting any person to place, set, use, drag or have in his possession any seine, net or other device for catching fish and shrimp other than the ordinary pole and line, casting rod and reel, artificial bait,

trot line, set line, cast net or minnow seine of not more than twenty feet in length for catching bait within waters between Padre Island and the mainland in Kleberg and Kennedy counties and on back bays and inlets and that part of Laguna Madre within said counties, and providing for a fine, etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Sanders, Mr. Stevenson, Mr. Morse, Mr. Johnson of Dallam and Mr. Holder:

H. B. No. 768, A bill to be entitled "An Act creating and providing a uniform budget system for the State and all counties, cities, towns, villages, independent school districts, rural high school districts and common school districts; amending Articles 688 and 689, Chapter 6, Title 20, of the Revised Civil Statutes of Texas for the year of 1925, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Sanders:

H. B. No. 769, A bill to be entitled "An Act to provide for the collection by each county clerk of a fee for the benefit of the county and State, to aid and assist the county and State in the maintenance of proper facilities for the registration of instruments wherein liens on land are retained, and for the maintenance of proper facilities for the enforcement of such liens, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Brooks:

H. B. No. 770, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts of the Second Called Session, Forty-first Legislature, and declaring an emergency."

(Relating to gasoline tax.)

Referred to Committee on Revenue and Taxation.

By Mr. Satterwhite:

H. B. No. 771, A bill to be entitled "An Act amending Article 7043, Revised Statutes of Texas, 1925, and declaring an emergency."

(Relating to calculation of ad valorem tax rate.)

Referred to Committee on Revenue and Taxation.

SENATE BILL ON FIRST READING.

The following Senate bill was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 310, to the Committee on Public Lands and Buildings.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Olsen, House bill No. 712 was ordered not printed.

On motion of Mr. Herzik, Senate bill No. 364 was ordered not printed.

MOTION TO RECOMMIT HOUSE BILL NO. 388.

Mr. Keller moved that House bill No. 388 be recommitted to the Committee on Municipal and Private Corporations.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—33.

Barron.	Moffett.
Bradley.	Morse.
Davis.	Munson.
Elliott.	Murphy.
Gilbert.	Ramsey.
Grogan.	Reader.
Hardy.	Savage.
Hughes.	Shelton.
Jones of Shelby.	Smith of Bastrop.
Keller.	Sparkman.
Lemens.	Steward.
Leonard.	Tarwater.
Lilley.	Turner.
Long.	Wagstaff.
McCombs.	Warwick.
McGill.	Westbrook.
Mehl.	

Nays—70.

Adams of Harris.	Cox of Lamar.
Adamson.	Cox of Limestone.
Adkins.	Dale.
Akin.	DeWolfe.
Alsup.	Dodd.
Beck.	Dowell.
Bond.	Duvall.
Bounds.	Engelhard.
Boyd.	Farmer.
Brice.	Farrar.
Brooks.	Fisher.
Bryant.	Fuchs.
Burns of Walker.	Giles.
Burns	Goodman.
of McCulloch.	Graves.
Caven.	Greathouse.
Claunch.	Hanson.
Coltrin.	Harman.
Coombes.	

Harrison	O'Quinn.
of Waller.	Ratliff.
Herzik.	Ray.
Hill.	Richardson.
Hines.	Rogers.
Holland.	Satterwhite.
Holloway.	Scott.
Howsley.	Smith of Wood.
Jackson.	Stephens.
Johnson of Morris.	Sullivant.
Kennedy.	Terrell
Lee.	of Cherokee.
Lockhart.	Towery.
McDougald.	Van Zandt.
Magee.	Veatch.
Mathis.	West of Coryell.
Metcalf.	Wyatt.
Olsen.	Young.

Present—Not Voting.

Albritton.	Jones of Atascosa.
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Absent.

Anderson.	Justiss.
Dunlap.	Kayton.
Dwyer.	Laird.
Ferguson.	Lasseter.
Finn.	McGregor.
Ford.	Moore.
Harrison	Nicholson.
of El Paso.	Patterson.
Hatchitt.	Petsch.
Hefley.	Rountree.
Hoskins.	Sanders.
Hubbard.	Sherrill.
Johnson	Strong.
of Dallam.	Walker.
Johnson	Weinert.
of Dimmit.	

Absent—Excused.

Adams of Jasper.	Martin.
Baker.	Pope.
Bedford.	Stevenson.
Carpenter.	Terrell
Cunningham.	of Val Verde.
Daniel.	Vaughan.
Donnell.	West of Cameron.
Forbes.	Wiggs.
Holder.	

PROVIDING FOR COMMITTEE TO VISIT PENITENTIARY SYSTEM.

Mr. Turner offered the following resolution:

Resolved by the House of Representatives, That the Committee on Penitentiaries be excused from attendance upon House sessions on the dates of March 12, 13 and 14 in order that they may visit the penitentiary farms in South Texas, and also the walls at Huntsville and nearby farms

on said dates; and that the railroad and Pullman fare from Austin to Houston and return be paid out of the House contingent fund.

The resolution was read second time.

Mr. McCombs offered the following amendment to the resolution:

Amend resolution by striking out all reference to payment of expenses.

On motion of Mr. Holland, the amendment was tabled.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—94.

Adams of Harris.	Jones of Shelby.
Adamson.	Jones of Atascosa.
Adkins.	Kayton.
Alsup.	Keller.
Bond.	Laird.
Boyd.	Lasseter.
Bradley.	Lee.
Brice.	Leonard.
Brooks.	Lilley.
Burns of Walker.	Lockhart.
Claunch.	Long.
Coltrin.	McCombs.
Cox of Lamar.	McGregor.
Davis.	Magee.
Dodd.	Mathis.
Dowell.	Mehl.
Dunlap.	Moffett.
Elliott.	Moore.
Engelhard.	Morse.
Farmer.	Munson.
Ferguson.	Murphy.
Fisher.	Nicholson.
Ford.	Olsen.
Fuchs.	Patterson.
Gilbert.	Ramsey.
Giles.	Ratliff.
Goodman.	Ray.
Greathouse.	Reader.
Grogan.	Richardson.
Hanson.	Sanders.
Hardy.	Satterwhite.
Harman.	Scott.
Harrison	Shelton.
of El Paso.	Smith of Bastrop.
Harrison	Sparkman.
of Waller.	Stephens.
Hatchitt.	Steward.
Hefley.	Sullivant.
Herzik.	Terrell
Hines.	of Cherokee.
Holland.	Towery.
Holloway.	Turner.
Hoskins.	Veatch.
Howsley.	Wagstaff.
Jackson.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Johnson of Morris.	Westbrook.

Wyatt.

Young.

Nays—16.

Akin.	Hill.
Albritton.	Hughes.
Barron.	Kennedy.
Bounds.	McDougald.
Bryant.	O'Quinn.
Cox of Limestone.	Rogers.
Dale.	Smith of Wood.
Farrar.	Tarwater.

Present—Not Voting.

Graves.

Absent.

Anderson.	Justiss.
Beck.	Lemens.
Burns	McGill.
of McCulloch.	Metcalfe.
Caven.	Petsch.
Coombes.	Rountree.
DeWolfe.	Savage.
Duvall.	Sherrill.
Dwyer.	Strong.
Finn.	Van Zandt.
Hubbard.	West of Coryell.
Johnson	
of Dallam.	

Absent—Excused.

Adams of Jasper.	Martin.
Baker.	Pope.
Bedford.	Stevenson.
Carpenter.	Terrell
Cunningham.	of Val Verde.
Daniel.	Vaughan.
Donnell.	West of Cameron.
Forbes.	Wiggs.
Holder.	

INVITING OWEN P. WHITE TO ADDRESS LEGISLATURE.

Mr. Bradley offered the following resolution:

Whereas, Owen P. White, one of America's foremost journalists and publicists, is in the city of Austin, Texas; and

Whereas, We are interested in this distinguished author not only because of his achievements in his chosen field, but also because he is a native Texan and received a large part of his education in these parts; now, therefore, be it

Resolved, That the said Owen P. White be, and is hereby invited, to address the House of Representatives.

Signed—Bradley, Graves, Hubbard, Morse.

The resolution was read second time and was adopted.

PLEDGING ALLEGIANCE TO DEMOCRATIC PARTY.

Mr. Keller offered the following resolution:

Whereas, The great commonwealth of Texas has during its long and glorious history been known as the rock-ribbed Democratic State of the American Union; and

Whereas, The undying principles of the Democratic party have always and are now cherished by all the people of Texas; and

Whereas, The Republican party offers as its record agriculture prostrate, industry depressed, American shipping destroyed, workmen without employment; everywhere disgust, suspicion, and corruption, unpunished and unafraid; and

Whereas, It is to the party of Jefferson, Jackson, Cleveland and Wilson that our people are turning today for relief from the slough of despond into which we have been cast by the iniquitous treatment received from the hands of the Republican party; and

Whereas, Only by united and co-operative effort of all Democrats presented in solid phalanx to our ancient and traditional Republican opponents can victory return to us in 1932; and

Whereas, It behooves every Democrat in Texas to vigorously assert himself to the end that party solidarity and unity may be restored to the party in Texas, looking to the success of the 1932 campaign; and

Whereas, A decided salutary effect may be achieved by the affirmative notice on behalf of Texas to the nation at large that political waywardness of the party is now forgotten and that Texas is today pledging her faith to the principles of the Democratic party; and

Whereas, The Democratic National Executive Committee is convening in formal session on Thursday, March 5th, for the purpose of surveying recent accomplishments of the party and laying plans for the future; and

Whereas, It is the sense of this body that the time has arrived for our declaration and renewal of allegiance to the party of our fathers; now, therefore, be it

Resolved, That the House of Representatives of Texas, as the representative spokesmen of the Democracy of Texas, do now officially assert that we recognize the Democratic party as the party of our

fathers, party of the people, the party dedicated to the welfare of the masses, the party whose creed is that of "equal opportunities to all and special privileges to none," the party to whose success the political and economic future of our people is bound; the party which can and will combat the graft, corruption, inefficiency and total inadequacy of the Republican party now in power, and the only party to which we owe full allegiance; and be it further

Resolved, That in light of past experience and with full confidence in the future, we now here rededicate ourselves and the people of Texas to the cause of Democracy, asserting our faith in the wisdom of our national committeemen and that in recognition thereof a copy of this resolution be forwarded to the secretary of the Democratic Executive Committee to the end that the nation may know that the Lone Star State is once again assuming her place in the political sun to which she is so justly entitled.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—103.

Adams of Harris.	Ferguson.
Adamson.	Finn.
Adkins.	Fisher.
Akin.	Ford.
Albritton.	Fuchs.
Alsup.	Gilbert.
Barron.	Goodman.
Bounds.	Graves.
Boyd.	Greathouse.
Brice.	Grogan.
Brooks.	Hanson.
Burns of Walker.	Hardy.
Burns	Harman.
of McCulloch.	Harrison
Caven.	of Waller.
Claunch.	Hatchitt.
Coltrin.	Hefley.
Cox of Lamar.	Herzik.
Cox of Limestone.	Hill.
Dale.	Holland.
Davis.	Holloway.
DeWolfe.	Hoskins.
Dodd.	Howsley.
Dowell.	Hughes.
Duvall.	Jackson.
Dwyer.	Johnson
Elliott.	of Dallam.
Engelhard.	Johnson of Morris.
Farmer.	Jones of Shelby.
Farrar.	Kayton.

Keller.	Reader.
Kennedy.	Richardson.
Laird.	Rogers.
Leonard.	Rountree.
Lilley.	Satterwhite.
Lockhart.	Shelton.
McCombs.	Sherrill.
McDougald.	Smith of Wood.
McGill.	Sparkman.
McGregor.	Steward.
Magee.	Strong.
Mathis.	Sullivant.
Mehl.	Terrell
Metcalfe.	of Cherokee.
Moffett.	Towery.
Moore.	Turner.
Morse.	Veatch.
Munson.	Wagstaff.
Murphy.	Walker.
Olsen.	Weinert.
O'Quinn.	West of Coryell.
Ramsey.	Wyatt.
Ratliff.	Young.
Ray.	

Absent.

Anderson.	Lasseter.
Beck.	Lee.
Bond.	Lemens.
Bradley.	Long.
Bryant.	Nicholson.
Coombes.	Patterson.
Dunlap.	Petsch.
Giles.	Sanders.
Harrison	Savage.
of El Paso.	Scott.
Hines.	Smith of Bastrop.
Hubbard.	Stephens.
Johnson	Tarwater.
of Dimmit.	Van Zandt.
Jones of Atascosa.	Warwick.
Justiss.	Westbrook.

Absent—Excused.

Adams of Jasper.	Martin.
Baker.	Pope.
Bedford.	Stevenson.
Carpenter.	Terrell
Cunningham.	of Val Verde.
Daniel.	Vaughan.
Donnell.	West of Cameron.
Forbes.	Wiggs.
Holder.	

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 399.

Mr. Sanders, Chairman, submitted the following conference committee report on House bill No. 399:

Committee Room,
Austin, Texas, March 3, 1931.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your conference committee on House bill No. 399, have had the same under consideration and have adjusted the differences between the House and the Senate and recommend the passage of the bill as follows:

H. B. No. 399, A bill to be entitled "An Act making certain appropriations out of the general revenues of the State of Texas for the several institutions and departments of State government as named herein for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

Taking House bill No. 399 as passed by the House as a basis, amend the following items:

North Texas Junior Agricultural College, Arlington, Texas, summer school, 1931, by striking out the figures "\$5,000.00" and inserting in lieu thereof "\$7,000.00."

Sul Ross State Teachers College, Alpine, Texas, summer school, 1931, by striking out the figures "\$10,800.00" and substituting in lieu thereof "\$12,800.00."

Respectfully submitted,

SANDERS,
FORD.
CLAUNCH,
SATTERWHITE,

On the part of the House.

BECK,
DeBERRY,
O'NEAL,
RAWLINGS,
WOODRUFF,

On the part of the Senate.

On motion of Mr. Sanders, the report was adopted by the following vote:

Yeas—105.

Mr. Speaker.	Cox of Lamar.
Adams of Harris.	Cox of Limestone.
Adamson.	Dale.
Adkins.	DeWolfe.
Akin.	Dodd.
Albritton.	Dowell.
Alsup.	Dunlap.
Barron.	Elliott.
Beck.	Engelhard.
Boyd.	Farmer.
Bradley.	Farrar.
Brooks.	Finn.
Bryant.	Ford.
Burns of Walker.	Fuchs.
Burns	Giles.
of McCulloch.	Goodman.
Caven.	Greathouse.
Claunch.	Grogan.
Coltrin.	Hanson.

Hardy.	Mehl.
Harman.	Metcalfe.
Harrison	Moffett.
of El Paso.	Morse.
Harrison	Munson.
of Waller.	Murphy.
Hatchitt.	Nicholson.
Hefley.	O'Quinn.
Herzik.	Petsch.
Hill.	Ramsey.
Holland.	Ratliff.
Holloway.	Reader.
Hoskins.	Richardson.
Hubbard.	Rogers.
Jackson.	Sanders.
Johnson	Satterwhite.
of Dallam.	Savage.
Johnson	Shelton.
of Dimmit.	Smith of Bastrop.
Johnson of Morris.	Sparkman.
Jones of Shelby.	Stephens.
Jones of Atascosa.	Steward.
Kayton.	Sullivant.
Kennedy.	Tarwater.
Laird.	Terrell
Lasseter.	of Cherokee.
Lee.	Towery.
Lemens.	Turner.
Lilley.	Veatch.
Lockhart.	Wagstaff.
Long.	Walker.
McCombs.	Warwick.
McDougald.	Weinert.
McGill.	West of Coryell.
McGregor.	Westbrook.
Magee.	Wyatt.
Mathis.	Young.

Nays—6.

Bounds.	Scott.
Coombes.	Sherrill.
Ferguson.	Smith of Wood.

Present—Not Voting.

Fisher.

Absent.

Anderson.	Justiss.
Bond.	Keller.
Brice.	Leonard.
Davis.	Moore.
Duvall.	Olsen.
Dwyer.	Patterson.
Gilbert.	Ray.
Graves.	Rountree.
Hines.	Strong.
Howsley.	Van Zandt.
Hughes.	

Absent—Excused.

Adams of Jasper.	Donnell.
Baker.	Forbes.
Bedford.	Holder.
Carpenter.	Martin.
Cunningham.	Pope.
Daniel.	Stevenson.

Terrell	West of Cameron.
of Val Verde.	Wiggs.
Vaughan.	

TO URGE ECONOMY IN STATE AFFAIRS.

The Speaker laid before the House, for consideration at this time, H. C. R. No. 20, To urge economy in State affairs.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

On motion of Mr. McCombs, the resolution was laid on the table subject to call.

TO PROVIDE FOR ADJOURNMENT SINE DIE.

Mr. Richardson offered the following resolution:

H. C. R. No. 16, Providing for adjournment sine die.

Whereas, The present distressed condition of the country makes it imperative that this Legislature should complete its labors and return home at the earliest possible time in order to conserve the time of its members and to promote economy in administration of government; and

Whereas, There will be ample time in the next sixty days in which to pass the necessary appropriation bills and pass the necessary measures to promote revenue for the present deficit, and also for the economical administration of government; and

Whereas, These measures are all that are necessary to be passed during this session of the Legislature and the crying demand of the people is that these labors and these only be completed and that this Legislature then adjourn; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-second Legislature of the State of Texas stand adjourned sine die at 12 o'clock noon, Saturday, April 4, 1931.

Signed—Richardson, Bond, Veatch, Rogers.

The resolution was read second time.

On motion of Mr. Richardson, the resolution was laid on the table subject to call.

TO PROVIDE FOR COPIES OF STATE CONSTITUTION.

Mr. Smith of Wood offered the following resolution:

H. C. R. No. 23, Providing for printing copies of State Constitution.

Whereas, There was adopted at the general election in 1928, an amendment to Article VII of the State Constitution, adding thereto Section 16, authorizing and requiring the Legislature to fix by law the terms of all officers of the public school system of the State; and

Whereas, At the general election in 1930, Article VII of the State Constitution was again amended, adding thereto another Section 16, on an entirely different subject, to wit, a section providing for the taxation for county purposes of lands belonging to the University of Texas; and

Whereas, It is reasonably certain that the Forty-first Legislature, in the adoption of House joint resolution No. 11, did not intend that the amendment therein proposed and submitted to the voters of the State, should in any way affect the provisions of Section 16, adopted in 1928, but in fact and reality intended that the additional section to Article VII in regard to taxing University lands, should be properly numbered 17 instead of 16; and

Whereas, There is not in print by authority of the State, a correct copy of the State Constitution, brought down to date and containing a correct text of all recent amendments; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Secretary of State be and is hereby authorized and instructed to prepare for publication a correct copy of the State Constitution, brought down to date and containing all the recent amendments, with the correction as to section numbers of the amendments to Article VII as hereinabove indicated, and have 25,000 copies of the Constitution printed in pamphlet form, for the use of State officials and departments, the courts of the State, district and county officials, members of the Legislature, and for the use of the Department of Education for distribution to the educational institutions and public schools of the State, and for sale to the general public at the usual price for similar publications furnished by the Secretary of State's Department; the cost of printing to be paid out of the appropriation for contingent expenses of the Forty-second Legislature.

The resolution was read second time.

On motion of Mr. Smith of Wood, the resolution was laid on the table subject to call.

RELATIVE TO PAYMENT OF AUTOMOBILE LICENSE FEE.

Mr. McDougald offered the following resolution:

H. C. R. No. 22, Providing for extending time of payment of automobile license.

Whereas, The people of the State of Texas are in such financial situation that they are unable to pay their taxes promptly as they become due; and

Whereas, The Legislature has enacted certain legislation in partial relief of the people by providing for part payment of taxes at this time, and by relieving them of some of the penalties accruing by reason of default in prompt payment of property taxes; and

Whereas, Under the motor vehicle licensing law a penalty of 20 per cent is inflicted on every owner of a motor vehicle who fails to pay his license fee by February 1st, and in addition thereto he is subject to arrest and fine for operating his automobile without a 1931 license plate; and

Whereas, It would be a great relief to the people for the time of payment of such license tax to be extended for sixty days, during which period no arrest or fines would be made or imposed; therefore, be it

Resolved by the House of Representatives, the Senate concurring, The said penalty be, and the same is, suspended for a period of sixty days from and after February 1, 1931, and that the provisions of the motor vehicle law with respect to arrests and fine for operating a motor vehicle on the public highways without displaying a 1931 license plate be likewise suspended during such sixty-day period.

The resolution was read second time.

Mr. McCombs raised a point of order on further consideration of the resolution on the ground that it attempts to suspend the law by a concurrent resolution.

The Speaker sustained the point of order.

TO DENOUNCE PRACTICE OF GAMBLING.

Mr. Dale offered the following resolution:

H. C. R. No. 24, Relative to gambling.

Whereas, This Legislature has asked the American Congress in the interest of the moral and economic welfare of the people to oppose the repeal of the Eighteenth Amendment to the Constitution; and

Whereas, This Legislature has shown such serious concern over the price of cotton that it considered a resolution asking the bankers to refuse to loan money to farmers unless they agree to curtail the cotton acreage 25 per cent for the next five years; and

Whereas, There are no staple farm products that are now bringing the cost of production, not even corn despite a corn famine, yet the consuming public is paying practically the same price for converted farm products as they did before the slump in the market, the price of bread in large commercial centers having varied not one iota in the last several years; and

Whereas, The prices of staple farm products are made by an organization legalized to gamble in life's necessities whereby they pauperize millions of honest hard-working farmers every year, turning their ripened harvests into disappointments and despair; and

Whereas, Such handicaps are not placed upon any other major business, gambling in stocks and bonds of various corporations not being permitted unless authorized by the officials of such corporations, and even then they are not permitted to gamble in the output of any corporation, such as the price of steel, commercial fertilizers, fruit of the loom, etc.; and

Whereas, Exchange gamblers are permitted to price the output of our farms in total disregard of vested rights and without the consent of the farmers, which is a rank discrimination against the producers of our State and nation; and

Whereas, Aside from running down the prices of farm products to the point of bankruptcy, exchange gamblers precipitated the worst industrial panic ever known in our history, which has seriously decreased the consumptive power of our people; and

Whereas, The Federal government does not only permit exchange gamblers to pauperize our farmers at will by forming bear cliques, but on the other hand will not let the bull

speculators put prices up if the government considers the prices are going higher than the converters should pay, again showing rank discrimination against our growers; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we denounce the gambling in the fruits of honest toil as the most iniquitous form of gambling known, and we call upon the Federal Congress in the interests of our farmers who produce the raw materials for food and raiment and home owners who are induced to risk their savings in stock gambling and in the interest of public morals to put a stop to this practice at the earliest possible moment, and in lieu of the present silly exchange antics which is impossible for the business world to keep step with, that the Congress direct the Federal Farm Board to evaluate staple farm products based upon the cost of production and the buying power of the public and establish markets accordingly. This to be done through money loans to co-operative farm organizations; be it further

Resolved, That in the event the Congress does not stop exchange gambling that we call upon the Attorney General of the United States to enter suit against the bear speculators for conspiring to put cotton, wheat and corn lower in price than the farmers can produce it, as this would be giving our American farmers the same protection that Mr. Wickersham, as Attorney General of these United States, gave the cotton spinners a few years ago; be it further

Resolved, That the Clerk of this House be instructed to forward a copy of this resolution to the Clerk of the Senate and the House of Representatives of the Congress, respectively.

Signed—Dale, Johnson of Morris, Weinert, Veatch, Rogers, Gilbert, Laird, Cox of Lamar, Giles, Wyatt, Cunningham.

The resolution was read second time.

On motion of Mr. Dale, the resolution was referred to the Committee on State Affairs.

HOUSE BILL NO. 683 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 683, A bill to be entitled "An Act to provide that the State Highway Commission shall be authorized to require that all contracts for the construction, maintenance and improvement of any designated State highway shall contain a provision that no person will be employed by the contractor to perform manual labor in the course of such work at a wage of less than thirty cents per hour; fixing penalties, and providing for the enforcement of such contract, and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Farmer pending.

(Mr. Young in the chair.)

Mr. Albritton offered the following substitute for the amendment by Mr. Farmer:

Amend House bill No. 683 by striking out the words "thirty cents" wherever they appear and substituting therefor the words "twenty-five."

Question—Shall the substitute amendment be adopted?

(Speaker in the chair.)

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 71, "An Act amending Chapter 187, Acts of the Regular Session of the Forty-first Legislature, and declaring an emergency."

S. B. No. 265, "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in co-operation with teachers; prescribing the salary of said supervisor, and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

S. B. No. 217, "An Act to amend Chapter 8, page 12, of the Acts of the Regular Session of the Fortieth Legislature of the State of Texas, changing the time of holding the terms of the district court in the Twenty-third Judicial District of Texas, and declaring an emergency."

S. B. No. 373, "An Act providing for a supervisor or supervisors in lieu of the county teachers' institute,

repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 84, "An Act to allow office and traveling expenses of the superintendent of public instruction in certain counties, etc., and declaring an emergency."

S. B. No. 254, "An Act ratifying and validating the creation and consolidation proceeding creating San Diego Independent School District of Duval and Jim Wells counties, etc., and declaring an emergency."

S. B. No. 221, "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

S. B. No. 152, "An Act amending Harris county road law, Chapter 17, Acts of the Regular Session of the Thirty-third Legislature," etc.

S. B. No. 139, "An Act authorizing boards of school trustees in certain counties in Texas to employ rural school supervisors in lieu of holding school teachers' institutes, etc., and declaring an emergency."

S. B. No. 158, "An Act validating, ratifying and approving the acts and proceedings of the county board of school trustees relating to consolidation of common school districts in certain counties, etc., and declaring an emergency."

S. B. No. 30, "An Act ratifying and validating the creation of Common School District No. 34 in Duval county, Texas, etc., and declaring an emergency."

INVITING MADAME SCHUMANN-HEINK TO VISIT LEGISLATURE.

Mr. Howsley offered the following resolution:

Whereas, Madame Schumann-Heink is beloved by the people of the United States, and especially by the members of the American Legion, for her generous service rendered in their behalf during the World War; and

Whereas, She is now in the city of Austin and at 10 o'clock this morning will be in the Governor's office; therefore, be it

Resolved by the House of Representatives of Texas, That an invitation be extended to Madame Schu-

mann-Heink to come to the House of Representatives as its guest, and that the Senate of Texas be invited to attend.

Signed—Howsley, Gilbert, Mrs. Hughes.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to invite Madame Schumann-Heink to the House:

Messrs. Howsley, Gilbert, Mrs. Hughes, Mrs. Moore, Mrs. Strong, Mrs. Rountree and Mr. Leonard.

RECESS.

On motion of Mr. Patterson, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 3, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 9, A bill to be entitled "An Act validating all proceedings heretofore had and taken to organize, create or establish any and all such drainage districts within this State under the provisions of Title 128, Chapters 7 and 8 of the Revised Civil Statutes, 1925, towit, Articles 8097 to 8197, both inclusive, of such Revised Civil Statutes, 1925, and validating and approving all orders heretofore made, and proceedings had by or before the commissioners courts of this State to so organize, create or establish any and all such drainage districts aforesaid, and validating all such drainage districts heretofore created under the above statutes, and validating all proceedings had and taken or orders made by or before any such commissioners courts to authorize or authorizing the issuance of any and all bonds of such drainage districts, and validating all such bonds heretofore issued, voted or authorized to be issued by all such districts, and declaring an emergency."

S. B. No. 103, A bill to be entitled "An Act for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making an appropriation, and declaring an emergency."

S. B. No. 140, A bill to be entitled "An Act giving consent of the Legislature to Raymond Canion and his heirs to sue the State of Texas for four thousand dollars (\$4000) on highway contracts, and declaring an emergency."

S. B. No. 232, A bill to be entitled "An Act to provide for making the rolls and summaries of the scholastic census of the public schools; to provide for making affidavits supporting said rolls and summaries, and prescribing a penalty for making a false affidavit; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 241, A bill to be entitled "An Act to amend Title 23 of the Revised Civil Statutes of Texas of 1925, entitled 'Brands and Trademarks,' by adding thereto Articles 851a and 851b, providing for the cancellation of the filing of and withdrawal from registration by the Secretary of State labels, trademarks, designs, devices, imprints or forms of advertisement heretofore or hereafter filed in accordance with Article 851 of the Revised Civil Statutes of 1925, and providing for the registration of similar or identical labels, trademarks, designs, devices, imprints or forms of advertisement by others, and declaring an emergency."

S. B. No. 358, A bill to be entitled "An Act amending Section 8 of Article 8307 of the Revised Civil Statutes of the State of Texas of 1925, relating to acts or decisions of the Industrial Accident Board and the admission as evidence of its proceeding when duly attested and sealed, and declaring an emergency."

S. B. No. 361, A bill to be entitled "An Act amending Section 19 (Section I) of Article 8306, Revised Civil Statutes of the State of Texas of 1925, relating to compensation to an employe who has been hired in this State and sustains an injury outside of the State; fixing the jurisdiction of suits filed under this section; providing that such injury shall have occurred within one year from the date such injured employe leaves this State, and that no recovery shall be had if the employe has elected to pur-

sue his remedy and recover in the State where such injury occurred, and declaring an emergency."

The Senate has concurred in House amendments to Senate bills Nos. 142, 143, 144, 145, 146 and 147 by the following vote: 31 yeas, 0 nays.

Respectfully,

JNO. B. DuPRIEST,
Assistant Secretary of the Senate.

HOUSE BILL NO. 683 ON PAS- SAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 683, fixing compensation of certain laborers, on its passage to engrossment, with amendment by Mr. Farmer and substitute amendment by Mr. Albritton, pending.

Mr. Morse moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the substitute amendment, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

Yeas—25.

Adkins.	Hefley.
Akin.	Johnson of Morris.
Albritton.	Lockhart.
Barron.	Olsen.
Brice.	Pope.
Brooks.	Savage.
Carpenter.	Sherrill.
Caven.	Van Zandt.
Cox of Limestone.	Veatch.
Engelhard.	West of Coryell.
Farrar.	West of Cameron.
Fuchs.	Westbrook.
Graves.	

Nays—90.

Adams of Harris.	DeWolfe.
Adamson.	Dodd.
Alsup.	Dowell.
Anderson.	Elliott.
Beck.	Farmer.
Bond.	Ferguson.
Bounds.	Ford.
Boyd.	Gilbert.
Bryant.	Greathouse.
Burns of Walker.	Grogan.
Burns	Hanson.
of McCulloch.	Hardy.
Claunch.	Harrison
Coltrin.	of El Paso.
Cox of Lamar.	Harrison
Dale.	of Waller.
Daniel.	Hatchitt.
Davis.	Herzik.

Hill.	Munson.
Hines.	Murphy.
Holland.	Patterson.
Holloway.	Petsch.
Hoskins.	Ramsey.
Howsley.	Ratliff.
Hubbard.	Ray.
Hughes.	Reader.
Jackson.	Richardson.
Johnson	Rogers.
of Dallam.	Rountree.
Kayton.	Satterwhite.
Keller.	Scott.
Kennedy.	Shelton.
Laird.	Smith of Bastrop.
Lasseter.	Smith of Wood.
Lee.	Sparkman.
Lemens.	Steward.
Leonard.	Strong.
Lilley.	Sullivant.
Long.	Tarwater.
McDougald.	Terrell
McGill.	of Val Verde.
Magee.	Towery.
Mathis.	Wagstaff.
Mehl.	Walker.
Metcalf.	Warwick.
Moffett.	Wyatt.
Moore.	Young.
Morse.	

Present—Not Voting.

Coombes.	Weinert.
Fisher.	
	Absent.
Bradley.	Jones of Atascosa.
Dunlap.	Justiss.
Duvall.	McCombs.
Dwyer.	McGregor.
Finn.	Nicholson.
Giles.	O'Quinn.
Goodman.	Sanders.
Harman.	Stephens.
Johnson	Terrell
of Dimmit.	of Cherokee.
Jones of Shelby.	Turner.

Absent—Excused.

Adams of Jasper.	Holder.
Baker.	Martin.
Bedford.	Stevenson.
Cunningham.	Vaughan.
Donnell.	Wiggs.
Forbes.	

Question then recurring on the amendment by Mr. Farmer, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—9.

Anderson.	Dwyer.
Dunlap.	Farmer.

Greathouse.
Holloway.
Mehl.

Olsen.
Reader.

Nays—110.

Adams of Harris.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson of Morris.
Akin.	Kayton.
Albritton.	Kennedy.
Alsup.	Lasseter.
Barron.	Lee.
Beck.	Lemens.
Bond.	Leonard.
Bounds.	Lilley.
Boyd.	Lockhart.
Brice.	Long.
Brooks.	McDougald.
Bryant.	McGill.
Burns of Walker.	Magee.
Burns	Mathis.
of McCulloch.	Metcalfe.
Carpenter.	Moffett.
Caven.	Moore.
Claunch.	Morse.
Coltrin.	Munson.
Cox of Lamar.	Murphy.
Cox of Limestone.	Patterson.
Dale.	Petsch.
Daniel.	Pope.
Davis.	Ramsey.
DeWolfe.	Ratliff.
Dodd.	Ray.
Dowell.	Richardson.
Elliott.	Rogers.
Engelhard.	Rountree.
Farrar.	Satterwhite.
Ferguson.	Savage.
Fisher.	Scott.
Ford.	Shelton.
Fuchs.	Sherrill.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Graves.	Steward.
Grogan.	Strong.
Hanson.	Sullivant.
Hardy.	Tarwater.
Harrison	Terrell
of El Paso.	of Cherokee.
Harrison	Towery.
of Waller.	Van Zandt.
Hatchitt.	Veatch.
Hefley.	Wagstaff.
Herzik.	Walker.
Hill.	Warwick.
Hines.	Weinert.
Holland.	West of Coryell.
Hoskins.	West of Cameron.
Howsley.	Westbrook.
Hubbard.	Wyatt.
Hughes.	Young.
Jackson.	

Present—Not Voting.

Coombes.

Absent.

Bradley.	Keller.
Duvall.	Laird.
Finn.	McCombs.
Harman.	McGregor.
Johnson	Nicholson.
of Dimmit.	O'Quinn.
Jones of Shelby.	Sanders.
Jones of Atascosa.	Stephens.
Justiss.	Turner.

Absent—Excused.

Adams of Jasper.	Martin.
Baker.	Stevenson.
Bedford.	Terrell
Cunningham.	of Val Verde.
Donnell.	Vaughan.
Forbes.	Wiggs.
Holder.	

House bill No. 683 was then passed to engrossment.

HOUSE BILL NO. 683 ON THIRD READING.

Mr. Howsley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 683 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Adams of Harris.	Goodman.
Adamson.	Greathouse.
Albritton.	Grogan.
Alsup.	Hanson.
Barron.	Hardy.
Beck.	Harrison
Boyd.	of El Paso.
Brice.	Hatchitt.
Bryant.	Herzik.
Burns of Walker.	Hill.
Burns	Hines.
of McCulloch.	Holland.
Carpenter.	Holloway.
Caven.	Hoskins.
Claunch.	Howsley.
Coltrin.	Hubbard.
Cox of Lamar.	Hughes.
Cunningham.	Jackson.
Dale.	Johnson
Daniel.	of Dallam.
Davis.	Johnson of Morris.
DeWolfe.	Kayton.
Dodd.	Keller.
Elliott.	Kennedy.
Engelhard.	Laird.
Farmer.	Lasseter.
Farrar.	Lee.
Fuchs.	Lemens.
Gilbert.	Leonard.

Lilley.	Rountree.
Lockhart.	Satterwhite.
Long.	Shelton.
McDougald.	Sherrill.
McGill.	Smith of Bastrop.
McGregor.	Smith of Wood.
Magee.	Sparkman.
Mathis.	Steward.
Mehl.	Strong.
Metcalf.	Sullivant.
Moffett.	Tarwater.
Moore.	Terrell
Morse.	of Cherokee.
Munson.	Towery.
Murphy.	Van Zandt.
Olsen.	Veatch.
Patterson.	Walker.
Petsch.	Warwick.
Pope.	Weinert.
Ramsey.	West of Coryell.
Ratliff.	West of Cameron.
Ray.	Westbrook.
Reader.	Wiggs.
Richardson.	Wyatt.
Rogers.	Young.

Nays—12.

Adkins.	Cox of Limestone.
Akin.	Ferguson.
Bond.	Ford.
Bounds.	Graves.
Brooks.	Hefley.
Coombes.	Scott.

Present—Not Voting.

Fisher.

Absent.

Anderson.	Jones of Shelby.
Bradley.	Jones of Atascosa.
Dowell.	Justiss.
Dunlap.	McCombs.
Duvall.	Nicholson.
Dwyer.	O'Quinn.
Finn.	Sanders.
Giles.	Savage.
Harman.	Stephens.
Harrison	Turner.
of Waller.	Wagstaff.
Johnson	
of Dimmit.	

Absent—Excused.

Adams of Jasper.	Martin.
Baker.	Stevenson.
Bedford.	Terrell
Donnell.	of Val Verde.
Forbes.	Vaughan.
Holder.	

The Speaker then laid House bill No. 683 before the House on its third reading and final passage.

The bill was read third time.

Mr. Holland offered the following amendment to the bill:

Amend House bill No. 683 by inserting after the word "purposes," in line 36, the following: "That citizens of the United States shall always be given preference in such employment."

Mr. Morse moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Brooks offered the following amendment to the amendment by Mr. Holland:

Amend amendment to House bill No. 683 by adding at end the following, "and providing further, that preference may be given to persons hired to perform manual labor in the course of construction or maintenance who live within the boundary of said county in which said work is being performed."

Mr. Morse raised a point of order on further consideration of the amendment by Mr. Brooks on the ground that the House is operating under the previous question and the amendment is not in order.

The Speaker sustained the point of order.

Question then recurring on the amendment by Mr. Holland, it was adopted.

Mr. Petsch asked unanimous consent of the House to have the caption of the bill amended so as to conform to all changes made in the body of the bill.

There was no objection offered.

House bill No. 683 was then passed by the following vote:

Yeas—92.

Adams of Harris.	Dowell.
Adamson.	Elliott.
Albritton.	Engelhard.
Alsup.	Farmer.
Anderson.	Farrar.
Barron.	Finn.
Beck.	Fuchs.
Boyd.	Gilbert.
Brice.	Greathouse.
Bryant.	Grogan.
Burns of Walker.	Harrison
Burns	of El Paso.
of McCulloch.	Hatchitt.
Carpenter.	Herzik.
Caven.	Hill.
Claunch.	Hines.
Cox of Lamar.	Holland.
Cunningham.	Holloway.
Dale.	Hoskins.
Daniel.	Howsley.
Davis.	Hughes.
DeWolfe.	Jackson.
Dodd.	

Johnson	Ray.
of Dallam.	Reader.
Jones of Shelby.	Rogers.
Justiss.	Rountree.
Kayton.	Shelton.
Keller.	Sherrill.
Kennedy.	Smith of Bastrop.
Laird.	Smith of Wood.
Lee.	Sparkman.
Lemens.	Steward.
Leonard.	Strong.
Lilley.	Sullivant.
Lockhart.	Tarwater.
McCombs.	Terrell
McDougald.	of Cherokee.
McGill.	Terrell
Magee.	of Val Verde.
Mathis.	Towery.
Mehl.	Van Zandt.
Metcalfe.	Wagstaff.
Moffett.	Walker.
Moore.	Warwick.
Morse.	Weinert.
Munson.	Westbrook.
Petsch.	Wyatt.
Ratliff.	Young.

Nays—31.

Adkins.	Johnson
Akin.	of Dimmit.
Bond.	Johnson of Morris.
Bounds.	Lasseter.
Brooks.	McGregor.
Coltrin.	Murphy.
Coombes.	Nicholson.
Cox of Limestone.	Pope.
Ferguson.	Richardson.
Ford.	Satterwhite.
Giles.	Savage.
Graves.	Scott.
Hanson.	Stephens.
Harrison	Veatch.
of Waller.	West of Coryell.
Hefley.	West of Cameron.
Hubbard.	

Present—Not Voting.

Goodman.	Jones of Atascosa.
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Absent.

Bradley.	Long.
Dunlap.	Olsen.
Duvall.	O'Quinn.
Dwyer.	Patterson.
Fisher.	Ramsey.
Hardy.	Sanders.
Harman.	Turner.

Absent—Excused.

Adams of Jasper.	Holder.
Baker.	Martin.
Bedford.	Stevenson.
Donnell.	Vaughan.
Forbes.	Wiggs.

HOUSE BILL NO. 42 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 42, A bill to be entitled "An Act to amend Article 2203 of Chapter 8 of Title 42, of the Revised Civil Statutes of Texas, 1925, relating to the verdict of juries in civil cases, so as to provide that in the trial of civil cases nine members of the jury concurring may render a verdict in the district court and five jurors concurring may render a verdict in the county court, county courts at law and courts of justices of the peace; and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. McGill moved the previous question on the passage of the bill, and the main question was ordered.

House bill No. 42 was then passed by the following vote:

Yeas—66.

Adkins.	Johnson of Dimmit.
Akin.	Jones of Shelby.
Barron.	Jones of Atascosa.
Bond.	Kennedy.
Boyd.	Laird.
Brice.	Lee.
Bryant.	Leonard.
Burns of Walker.	Lockhart.
Caven.	McGill.
Claunch.	Magee.
Coltrin.	Metcalfe.
Coombes.	Munson.
Cunningham.	Ray.
Dale.	Reader.
Daniel.	Richardson.
Davis.	Rountree.
DeWolfe.	Satterwhite.
Dodd.	Savage.
Dowell.	Scott.
Engelhard.	Shelton.
Farmer.	Sherrill.
Farrar.	Smith of Bastrop.
Ferguson.	Sparkman.
Ford.	Steward.
Fuchs.	Strong.
Giles.	Tarwater.
Greathouse.	Terrell of Cherokee.
Hanson.	Towery.
Hines.	Van Zandt.
Holland.	Veatch.
Hoskins.	Warwick.
Hughes.	West of Coryell.
Johnson	Wyatt.
of Dallam.	

Nays—55.

Adams of Harris.	Alsup.
Albritton.	Anderson.

Beck.	Lasseter.
Bounds.	Lemens.
Brooks.	Lilley.
Cox of Lamar.	Long.
Dunlap.	McCombs.
Dwyer.	McGregor.
Elliott.	Mathis.
Finn.	Moffett.
Gilbert.	Moore.
Goodman.	Morse.
Graves.	Murphy.
Grogan.	Nicholson.
Harman.	Patterson.
Harrison	Petsch.
of El Paso.	Pope.
Harrison	Ratliff.
of Waller.	Rogers.
Hefley.	Smith of Wood.
Herzik.	Sullivant.
Hill.	Terrell
Holloway.	of Val Verde.
Howsley.	Wagstaff.
Hubbard.	Walker.
Johnson of Morris.	Weinert.
Justiss.	West of Cameron.
Kayton.	Westbrook.
Keller.	Young.

Present—Not Voting.

Fisher.	Stephens.
Hatchitt.	

Absent.

Adamson.	Jackson.
Bradley.	McDougald.
Burns	Mehl.
of McCulloch.	Olsen.
Carpenter.	O'Quinn.
Cox of Limestone.	Ramsey.
Duvall.	Sanders.
Hardy.	Turner.

Absent—Excused.

Adams of Jasper.	Holder.
Baker.	Martin.
Bedford.	Stevenson.
Donnell.	Vaughan.
Forbes.	Wiggs.

Paired.

Mr. Stephens (present), who would vote "nay," with Mr. Forbes (absent), who would vote "yea."

Mr. Hatchitt (present), who would vote "nay," with Mr. Donnell (absent), who would vote "yea."

Reason for Vote.

I was absent from the floor of the House when vote was taken on House bill No. 42, having been called to the reception room by a committee of citizens from Jefferson county. I would have voted "no."

McDOUGALD.

Mr. McGill moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—74.

Adamson.	Johnson
Adkins.	of Dimmit.
Akin.	Jones of Shelby.
Barron.	Jones of Atascosa.
Bond.	Justiss.
Boyd.	Keller.
Brice.	Kennedy.
Bryant.	Laird.
Burns of Walker.	Lee.
Caven.	Lemens.
Claunch.	Leonard.
Coltrin.	Lockhart.
Coombes.	McGill.
Cunningham.	Magee.
Dale.	Mehl.
Daniel.	Metcalfe.
Davis.	Munson.
DeWolfe.	Ray.
Dodd.	Reader.
Dowell.	Rountree.
Dunlap.	Satterwhite.
Elliott.	Savage.
Engelhard.	Scott.
Farmer.	Shelton.
Farrar.	Sherrill.
Ferguson.	Smith of Bastrop.
Fisher.	Smith of Wood.
Ford.	Sparkman.
Fuchs.	Steward.
Giles.	Strong.
Greathouse.	Sullivant.
Hanson.	Tarwater.
Hines.	Terrell
Holland.	of Cherokee.
Hoskins.	Van Zandt.
Hughes.	Veatch.
Johnson	Warwick.
of Dallam.	West of Coryell.
	Wyatt.

Nays—49.

Adams of Harris.	Grogan.
Albritton.	Harman.
Alsup.	Harrison
Anderson.	of El Paso.
Beck.	Harrison
Bounds.	of Waller.
Brooks.	Hatchitt.
Burns	Hefley.
of McCulloch.	Herzik.
Cox of Lamar.	Hill.
Dwyer.	Holloway.
Finn.	Howsley.
Goodman.	Hubbard.
Graves.	Johnson of Morris.

Kayton.	Pope.
Lasseter.	Ratliff.
Lilley.	Rogers.
Long.	Terrell
McCombs.	of Val Verde.
McGregor.	Towery.
Mathis.	Turner.
Moffett.	Wagstaff.
Moore.	Walker.
Morse.	Weinert.
Murphy.	West of Cameron.
Nicholson.	Westbrook.
Petsch.	

Present—Not Voting.

Stephens.

Absent.

Bradley.	Olsen.
Carpenter.	O'Quinn.
Cox of Limestone.	Patterson.
Duvall.	Ramsey.
Gilbert.	Richardson.
Hardy.	Sanders.
Jackson.	Young.
McDougald.	

Absent—Excused.

Adams of Jasper.	Holder.
Baker.	Martin.
Bedford.	Stevenson.
Donnell.	Vaughan.
Forbes.	Wiggs.

HOUSE BILL NO. 225 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 225, A bill to be entitled "An Act amending Article 689, Chapter 7, Title 11, Revised Criminal Statutes of Texas, 1925, relating to the penalty for the sale, transportation, manufacturing, possessing, etc., of intoxicating liquor, by repealing that provision of said article denying the benefits of the suspended sentence law to persons over the age of 25 years."

The bill was read third time.

On motion of Mr. Weinert, further consideration of the bill was postponed until 10:30 o'clock a. m. next Friday.

BILLS RECOMMITTED.

Mr. Justiss (by unanimous consent) moved that Senate bill No. 367 be recommitted to the Committee on Appropriations.

The motion prevailed.

On motion of Mr. Davis (by unanimous consent) House bill No. 570

was recommitted to the Committee on Highways and Motor Traffic.

HOUSE BILL NO. 615 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 615, A bill to be entitled "An Act to empower cities having a population of not less than 27,000 nor more than 28,000 inhabitants, as shown by the last Federal census and operating under a special charter originally granted by the Legislature of the State of Texas and which shall own and operate their light systems or water systems or sewer systems or gas systems or either one or more of said systems to encumber any one or more of said systems, the incomes thereof and everything pertaining thereto or any part thereof, and by the terms of such incumbrance to grant to the purchaser under any sale of foreclosure under such incumbrance a franchise to operate said encumbered system or systems for not over twenty years after such purchase, etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—112.

Adams of Harris.	Farrar.
Adamson.	Ferguson.
Adkins.	Finn.
Albritton.	Fisher.
Alsup.	Ford.
Anderson.	Gilbert.
Barron.	Greathouse.
Beck.	Grogan.
Bond.	Hanson.
Bounds.	Harman.
Boyd.	Harrison
Brice.	of El Paso.
Burns of Walker.	Harrison
Burns	of Waller.
of McCulloch.	Hatchitt.
Carpenter.	Herzik.
Claunch.	Hill.
Coltrin.	Hines.
Coombes.	Holloway.
Cox of Lamar.	Hoskins.
Cox of Limestone.	Howsley.
Cunningham.	Hubbard.
Dale.	Hughes.
Davis.	Jackson.
DeWolfe.	Johnson
Dodd.	of Dimmit.
Dowell.	Johnson of Morris.
Duvall.	Jones of Atascosa.
Elliott.	Kayton.
Engelhard.	Keller.

Kennedy.	Richardson.
Laird.	Rogers.
Lee.	Rountree.
Lemens.	Sanders.
Leonard.	Satterwhite.
Lilley.	Savage.
Lockhart.	Scott.
Long.	Shelton.
McCombs.	Smith of Bastrop.
McDougald.	Smith of Wood.
McGill.	Sparkman.
Magee.	Stephens.
Martin.	Steward.
Mathis.	Strong.
Mehl.	Sullivant.
Moffett.	Tarwater.
Moore.	Terrell
Morse.	of Val Verde.
Munson.	Towery.
Nicholson.	Turner.
Olsen.	Veatch.
O'Quinn.	Wagstaff.
Patterson.	Walker.
Petsch.	Warwick.
Pope.	West of Coryell.
Ramsey.	West of Cameron.
Ratliff.	Wyatt.
Ray.	Young.
Reader.	

Nays—1.

Farmer.

Present—Not Voting.

Akin.

Bryant.

Absent.

Bradley.	Johnson
Brooks.	of Dallam.
Caven.	Jones of Shelby.
Daniel.	Justiss.
Dunlap.	Lasseter.
Dwyer.	McGregor.
Fuchs.	Metcalfe.
Giles.	Murphy.
Goodman.	Sherrill.
Graves.	Terrell of Cherokee.
Hardy.	Van Zandt.
Hefley.	Weinert.
Holland.	Westbrook.

Absent—Excused.

Adams of Jasper.	Holder.
Baker.	Stevenson.
Bedford.	Vaughan.
Donnell.	Wiggs.
Forbes.	

Reason for Vote.

I vote "nay" on bill No. 615 for the reason it is unconstitutional, being a local law violating Section 56 of Article III, of the Constitution, regulating the affairs of a city, and no notice as required by Section 57 of Article III of the Constitution was given for thirty days, and no evidence

of said publication, if any, was exhibited in the Legislature.

FARMER.

HOUSE BILL NO. 703 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 703, A bill to be entitled "An Act authorizing school trustees to issue interest-bearing warrants in payment of salaries of employes for the year 1930-1931; specifying the rate of interest at 8 per cent; limiting the amount of warrants to be issued, giving such warrants preference over warrants issued for purposes other than payment of salaries, and declaring an emergency."

The bill was read third time.

Mr. Morse moved the previous question on the passage of the bill, and the main question was ordered.

House bill No. 703 was then passed by the following vote:

Yeas—103.

Adams of Harris.	Harman.
Adamson.	Harrison
Adkins.	of Waller.
Albritton.	Hatchitt.
Alsup.	Herzik.
Barron.	Hines.
Boyd.	Holland.
Brice.	Holloway.
Bryant.	Hoskins.
Burns of Walker.	Howsley.
Burns	Hubbard.
of McCulloch.	Hughes.
Carpenter.	Johnson
Caven.	of Dallam.
Claunch.	Johnson
Coltrin.	of Dimmit.
Cox of Lamar.	Johnson of Morris.
Cox of Limestone.	Jones of Shelby.
Cunningham.	Jones of Atascosa.
Dale.	Justiss.
Daniel.	Keller.
Davis.	Kennedy.
Dodd.	Laird.
Dowell.	Lee.
Dunlap.	Lemens.
Duvall.	Leonard.
Dwyer.	Lilley.
Elliott.	Lockhart.
Farmer.	McCombs.
Farrar.	McDougald.
Ferguson.	McGregor.
Finn.	Magee.
Fisher.	Martin.
Ford.	Mehl.
Fuchs.	Metcalfe.
Gilbert.	Moffett.
Giles.	Moore.
Goodman.	Morse.
Greathouse.	Munson.

Nicholson.	Sparkman.
Olsen.	Strong.
Patterson.	Sullivant.
Ramsey.	Tarwater.
Ratliff.	Terrell
Ray.	of Cherokee.
Reader.	Towery.
Richardson.	Van Zandt.
Rogers.	Wagstaff.
Rountree.	Warwick.
Sanders.	Weinert.
Scott.	West of Coryell.
Shelton.	West of Cameron.
Smith of Bastrop.	Wyatt.
Smith of Wood.	Young.

Nays—21.

Akin.	Kayton.
Beck.	Lasseter.
Bond.	Long.
Bounds.	McGill.
Coombes.	Murphy.
Graves.	Pope.
Grogan.	Savage.
Hardy.	Stephens.
Harrison	Terrell
of El Paso.	of Val Verde.
Hefley.	Walker.
Hill.	

Present—Not Voting.

O'Quinn.	Veatch.
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Absent.

Anderson.	Mathis.
Bradley.	Petsch.
Brooks.	Satterwhite.
DeWolfe.	Sherrill.
Engelhard.	Steward.
Hanson.	Turner.
Jackson.	Westbrook.

Absent—Excused.

Adams of Jasper.	Holder.
Baker.	Stevenson.
Bedford.	Vaughan.
Donnell.	Wiggs.
Forbes.	

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 9, to the Committee on Conservation and Reclamation.

Senate bill No. 103, to the Committee on Public Health.

Senate bill No. 140, to the Committee on State Affairs.

Senate bill No. 232, to the Committee on Education.

Senate bill No. 241, to the Committee on State Affairs.

Senate bill No. 358, to the Committee on State Affairs.

Senate bill No. 361, to the Committee on Judiciary.

RECESS.

On motion of Mr. Hardy, the House at 4 o'clock p. m. took recess to 9:30 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Agriculture: House bills Nos. 54 and 478.

Judiciary: House bill No. 44.

Eleemosynary and State Reformatory Institutions: House bill No. 692, Senate bill No. 21.

Highways and Motor Traffic: House bill No. 32, Senate bill No. 364.

Public Health: House bills Nos. 531, 265, 731 and 680.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 28, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 615, A bill to be entitled "An Act to empower cities having a population of not less than 27,000 nor more than 28,000 inhabitants, as shown by the last Federal census, and operating under a special charter originally granted by the Legislature of the State of Texas and which shall own and operate their light systems or water systems or sewer systems or gas systems, or either one or more of said systems, to encumber any one or more of said systems, the incomes thereof and everything pertaining thereto, or any part thereof, and by the terms of such encumbrance to grant to the purchaser under any sale of foreclosure under such incumbrance a franchise to operate said incumbered system or systems for not over twenty years after such purchase, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, March 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 376, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly belonging to the State of Texas, in and to that tract of land known as the Melvin Park Site, situated at the edge of the town of Melvin, in McCulloch county, Texas, to D. J. Malstrom, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, March 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 225, A bill to be entitled "An Act amending Article 689, Chapter 7, Title 11, Revised Criminal Statutes of Texas, 1925, relating to the penalty for the sale, transportation, manufacturing, possessing, etc., of intoxicating liquor, by repealing that provision of said article denying the benefits of the suspended sentence law to persons over the age of 25 years,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, March 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 321, A bill to be entitled "An Act amending Article 909 of the Penal Code of the State of Texas, and adding thereto, in reference to storage of wild game birds, wild fowls and wild game animals; providing that wild game birds, wild fowl and wild game animals may be placed on storage; providing the time when they may be placed on storage, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 53, A bill to be entitled "An Act to regulate the presentation, allowance, approval, classification and payment of claims and liens against estates of deceased persons and to direct the manner of collection and foreclosure of such liens; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 59, A bill to be entitled "An Act to amend Chapter 64 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 123, relating to the salary of district attorneys, and amending Chapter 55 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 94, relating to the appointment and compensation of assistants to district attorneys, and amending Article 1021 of the Code of Criminal Procedure of Texas relating to the per diem of district attorneys in all judicial districts composed of two or more counties, and limiting the per diem to 230 days in any one year, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, February 20, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 399, A bill to be entitled "An Act making certain appropriations out of the general revenues of the State of Texas for the several institutions and departments of State government as named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, March 2, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 703, A bill to be entitled "An Act authorizing school trustees to issue interest-bearing warrants in payment of salaries of employes for the year 1930-1931; specifying the rate of interest at six per cent; limiting the amount of warrants to be issued; giving such warrants preference over warrants issued for purposes other than payment of salaries, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, February 28, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 244, "An Act defining the offense of kidnapping for extortion, ransom or robbery, and prescribing the punishment, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

TWENTY-SECOND DAY.

(Continued.)

(Wednesday, March 4, 1931.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Minor.

COMMITTEE IN COMPLIANCE WITH SENATE CONCURRENT RESOLUTION NO. 11.

The Speaker announced the following committee on the part of the House under authority of Senate concurrent resolution No. 11:

Messrs. Graves, Hubbard, Akin and Wagstaff.

HOUSE BILL NO. 159 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 159, A bill to be entitled "An Act to amend Section 1 of Chap-

ter 90, Acts of the Forty-first Legislature, First Called Session, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 159 ON THIRD READING.

Mr. Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 159 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Adams of Harris.	Holloway.
Adamson.	Hoskins.
Albritton.	Howsley.
Alsup.	Hughes.
Anderson.	Jackson.
Baker.	Johnson
Bond.	of Dallam.
Bounds.	Johnson
Boyd.	of Dimmit.
Brice.	Johnson of Morris.
Brooks.	Jones of Shelby.
Bryant.	Jones of Atascosa.
Burns of Walker.	Justiss.
Burns	Keller.
of McCulloch.	Kennedy.
Carpenter.	Lee.
Caven.	Leonard.
Claunch.	Lilley.
Coombes.	Lockhart.
Cox of Lamar.	Long.
Cunningham.	McCombs.
Dale.	McDougald.
Daniel.	McGill.
DeWolfe.	McGregor.
Dodd.	Magee.
Donnell.	Martin.
Dunlap.	Mathis.
Engelhard.	Mehl.
Farrar.	Metcalf.
Ferguson.	Moffett.
Fisher.	Morse.
Forbes.	Munson.
Ford.	Murphy.
Fuchs.	Nicholson.
Giles.	Olsen.
Goodman.	O'Quinn.
Graves.	Patterson.
Greathouse.	Ratliff.
Grogan.	Reader.
Hardy.	Richardson.
Harrison	Rogers.
of El Paso.	Rountree.
Harrison	Sanders.
of Waller.	Savage.
Hatchitt.	Scott.
Herzik.	Shelton.
Hill.	Sherrill.
Hines.	Steward.
Holland.	Strong.